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Attorneys for Plaintiffs Oregon Moms Union,  
Melissa Adams, Spud Money's Inc. an assumed  
business name of Water Hole No. 2 Saloon, Inc.  
and Heart of Main Street

UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

PORTLAND DIVISION

OREGON MOMS UNION, an Oregon  
political action committee; MELISSA  
ADAMS, an individual; SPUD MONKEY'S,  
INC., an assumed business name of WATER  
HOLE NO. 2 SALOON, INC., an Oregon  
corporation; and HEART OF MAIN STREET,  
an Oregon political action committee,

Plaintiffs,

v.

KATHERINE "KATE" BROWN, in her  
official capacity as the Governor of the State  
of Oregon,

Defendant.

Case No. 3:21-cv-00678-JR

DECLARATION OF EDWARD H.  
TROMPKE IN SUPPORT OF  
PLAINTIFFS' MOTION FOR  
TEMPORARY RESTRAINING ORDER

The Honorable Jolie A. Russo

I, Edward H. Trompke, declare as follows:

1. I am one of the attorneys for Plaintiffs Oregon Moms Union, Melissa Adams,  
Spud Monkey's Inc., an assumed business name of Water Hole No. 2 Saloon, Inc. and Heart of

Main Street. I am a member of the Oregon State Bar, and I practice law in the state of Oregon with the firm of Jordan Ramis PC. I make this declaration based upon my personal knowledge, and I am competent to testify to the matters stated in this declaration. I make this declaration in support of *Plaintiffs' Motion for Temporary Restraining Order*.

2. Attached as Exhibit 1 is the April 27, 2021 press release of defendant Governor Kate Brown designation 15 counties as “high risk” counties, subjecting them to higher levels of restriction on activities, as shown in Exhibit 2, *infra*.

3. Attached as Exhibit 2 is the Sector Risk Level Guidance Chart issued by defendant though the Oregon Health Authority. The “Extreme Risk” category states that certain behaviors are required, and are not mere guidance, while others are guidance, as stated in the title.

4. Attached as Exhibit 3 is the “Choosing Safer Activities” released recently by the Centers for Disease Control (“CDC”) listing the different recommended activities that are least safe, less safe, and safest for both vaccinated and unvaccinated people, both with and without masks.

5. Attached as Exhibit 4 is information “When You’ve Been Fully Vaccinated” released by the CDC explaining that vaccinated people may “start doing many things you had stopped doing because of the pandemic,” and explain Exhibit 3, *supra*.

6. Attached as Exhibit 5 is advice to state and local governments for a logical process to devise strategies that achieve outcomes that have the impact to “minimize COVID-19 morbidity” and allow people to “Thrive socially, emotionally and economically.”

7. Attached as Exhibit 6 is a CDC “Breakthrough Cases” information release that reports the risks of vaccinated people becoming infected with COVID, and the effects on them.

I HEREBY DECLARE THAT THE ABOVE STATEMENT IS TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND THAT I UNDERSTAND IT IS MADE FOR USE AS EVIDENCE IN COURT AND IS SUBJECT TO PENALTY FOR PERJURY.

Dated this 5<sup>th</sup> day of May, 2021.

*s/ Edward H. Trompke*

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Edward H. Trompke, OSB #843653

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Attorney for Plaintiffs Oregon Moms Union,  
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and Heart of Main Street

**CERTIFICATE OF SERVICE**

I hereby certify that on the date shown below, I served a true and correct copy of the foregoing DECLARATION OF EDWARD H. TROMPKE IN SUPPORT OF PLAINTIFFS' MOTION FOR TEMPORARY RESTRAINING ORDER on:

Marc Abrams, OSB #890149  
Sheila H. Potter, OSB #993485  
Oregon Department of Justice  
100 SW Market St  
Portland OR 97201  
Phone: 971-673-1880  
[marc.abrams@state.or.us](mailto:marc.abrams@state.or.us)  
[sheila.potter@doj.state.or.us](mailto:sheila.potter@doj.state.or.us)

*Of Attorneys for Defendant Katherine "Kate"  
Brown, in her official capacity as the Governor  
of the State of Oregon*

☒ by electronic transmission and first class mail, postage prepaid.

DATED: May 5, 2021.

s/ Edward H. Trompke

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